

Exhibit F

**IN THE CIRCUIT COURT FOR MONROE COUNTY
TENNESSEE**

MONROE LIFE BALLOON FIESTA;)

THE BINGHAM GROUP, INC;)

for itself and on behalf of all persons)

who paid admission to the 2018)

Monroe Life Balloon Fiesta.)

AND)

LISA BINGHAM individually,)

Plaintiffs,)

v.)

CASA MONROE INC,)

STEVE DAVIS,)

ALISA HOBBS,)

DUANE BAUMERT,)

TYLER WEISS,)

JOE ANDERSON)

TSALI NOTCH VINEYARD. LLC)

Defendants)

FILED
TIME 4:20 AM/PM

SEP 10 2018

**MARTHA M. COOK
CIRCUIT COURT CLERK**

No: V182515

Jury Trial

**COMPLAINT
AND
INJUNCTION**

1. Jurisdiction and venue are proper in that this is a defamation and breach of contract lawsuit and all the relevant events occurred in Monroe County, Tennessee.

2. Plaintiff, The Monroe Life Balloon Fiesta is registered with the Federal Government as a non-profit organization for the purpose of fundraising events to benefit Monroe CASA Inc. of Monroe County, Tennessee.
3. Plaintiff, The Bingham Group Inc. is a Tennessee corporation structured to advertise and promote businesses in Monroe County, Tennessee and elsewhere through various publications including the Monroe Life Magazine and brings this action for defamation to the corporation, loss of reputation and standing in the community, humiliation, and loss of business income and also brings this action on behalf of all persons who paid admission to the 2018 Monroe Life Balloon Fiesta.
4. Plaintiff, Lisa Bingham, is a resident of Tennessee and a principal in the Bingham Group and brings this action on her own behalf for the damages caused to her personal reputation and standing in the community and humiliation, the Bingham Group's reputation and standing in the community, and the reputation and standing in the community of Monroe Life Magazine.
5. CASA Monroe (Court Appointed Special Advocates) is a public benefit corporation doing business in Monroe County, TN, and may be served through its principal officer, Alisa Hobbs.
6. Tsali Notch Vineyard is a Tennessee Limited Liability Corporation doing business in Monroe County and may be served through its registered agent for service of process, Cary L. Cox, 140 Harrison Rd. Madisonville, TN 37354. All

acts of Tsali Notch Vineyard were conducted through its authorized agents, either its owner, Cary L. Cox or its general manager, Jeremy Dalton.

7. Duane Baumert is a citizen of Monroe County and Chairman of the Board of Monroe CASA of Monroe County.
8. Joe Anderson is a CASA Monroe board member.
9. Tyler Weiss is a CASA Monroe board member.
10. Alisa Hobbs is the Executive Director of CASA Monroe.
11. Steve Davis is a hot air balloon pilot who acted as a leader and representative of a group of hot air balloon pilots.
12. For several years Lisa Bingham was involved in fundraising projects for organizations supporting children in the Tennessee communities and the Monroe County community, including Hiwassee College and CASA, Monroe County.
13. Through experience and training, Lisa Bingham developed the ability to organize and execute large fundraising events to benefit the foster children of Monroe County.
14. In 2013, Lisa Bingham organized fundraising events involving hot air balloons to raise funds and support the special youth at Hiwassee College.
15. The hot air balloon events organized by Lisa Bingham were coordinated and supported by The Bingham Group and its staff who had contact with many advertisers and donors.

16. Lisa Bingham, The Bingham Group and its staff did all these fundraising events on a voluntary basis and did not receive, nor require payment for their voluntary service.
17. Lisa Bingham is on several boards, including the board of Hiwassee College and CASA Monroe.
18. Through The Bingham Group's ability to advertise and promote businesses, Lisa Bingham was able to use her company to support Hiwassee College and through her efforts, the State of Tennessee became aware of the needs of certain foster students at Hiwassee College and other state colleges and the support Lisa Bingham and her volunteers provided was not required. In 2015 Lisa Bingham and The Bingham Group transferred their balloon fundraising efforts from supporting Hiwassee College to supporting CASA of Monroe County.
19. Lisa Bingham told the board members of CASA that through her efforts and the efforts of The Bingham Group, a hot air balloon fundraising event could be developed to raise money for the public benefit organization known as CASA Monroe.
20. Lisa Bingham was well respected in the community and by the Boards of both Hiwassee College and CASA Monroe and was trusted to conduct a top notch fundraiser for the benefit of the children in Monroe County.
21. No contracts or other legally binding agreements existed, or were contemplated between the Plaintiffs and any of the Defendants, and Lisa Bingham and the

Bingham Group were free to organize the fundraisers in any manner they saw fit as long as all the proceeds went to CASA Monroe.

22. Starting in 2015, with the blessings of Monroe CASA, Lisa Bingham and the Bingham Group organized a hot air balloon fundraising event to benefit CASA Monroe.

23. The hot air balloon events were envisioned to be a wholesome family event where families and children could come and sit on the open fields of mowed grass and watch many hot air balloons inflate and give tether rides to the large crowds. At night the balloons would glow from the propane fires and would flicker on and off to choreographed music. There were many food and craft vendors and live music.

24. Lisa Bingham and the Bingham Group began the fundraising events for CASA Monroe by using the Tsali Notch Vineyard, located in Monroe County, Tennessee.

25. The event had no legal ties to CASA Monroe and was always independently organized and coordinated by Lisa Bingham and the Bingham Group, but Lisa Bingham and the Bingham Group always donated the net proceeds of the event to Monroe CASA.

26. Proceeds from the hot air events were deposited into CASA's general account for the orderly payment of costs and the remaining amounts remained in CASA's possession.

27. At first, the yearly events proceeded without much controversy, however, gradually the Tsali Notch Vineyard and its owner, Cary Cox interjected more wine promotion influence into the balloon festival event. Wine samples and free wine

tasting began to take place with the approval of the CASA Monroe board members.

28. During the 2017 event at Tsali Notch Vineyard, Lisa Bingham and her volunteers noticed several questionable issues not supported nor encouraged by Lisa Bingham or the Bingham Group, such as the money being whisked away without proper accounting and the Tsali Notch Vineyard selling large amounts of alcohol.
29. The VIP tent served free, unlimited beer and wine during the two day event with no control on the amounts of consumption. One vender became so concerned that she refused to allow her teenage children out of her tent.
30. Free samples of wine were being given away in all of the 9 Lake Winery tents and the Tsali Notch store.
31. The director of CASA Monroe and agents of Tsali Notch Vineyard set up wine tents in the center of the fiesta event. There were many complaints from the parents of children that they had to walk through the winery areas to get anywhere.. In addition, three of the wine sampling tents were directly adjacent to the kids zone, the lines would get very long and often parents became uncomfortable with the behavior of drinkers and removed their children from the kid zone lines.
32. Beginning in 2017, Tsali Notch Vineyard principals and CASA Monroe board members decided to invite Nine Lake Winerys and other wine producing companies to participate in wine sales, by the glass at the event. The Director of

CASA Monroe, Duane Baument arranged for 10 kegs of beer to be available for sale at the event.

33. Complaints were received from multiple families attending the event that people were walking around the area drunk.

34. Additionally, during the 2017 event, one or more board members of CASA, and Gary Thomas, a friend of Duane Boumert, proceeded to collect the gate proceeds from the two day event and collect concessions proceeds during the event, and the money, including large amounts of cash were taken away by Defendant Duane Boumert and others, without an accounting of the proceeds to Lisa Bingham or any other members of the Bingham Group.

35. Lisa Bingham asked Duane Baumert for an accounting of the proceeds, but no adequate accounting was ever provided to the Plaintiffs.

36. It was reported that the event met and exceeded the expectations of the organizers, although the organizers were never given a proper accounting.

37. Upon information and belief, no proceeds from the sale of alcohol were donated to Monroe CASA.

38. After the event, it was learned that some of the costs of the event had not been paid in full.

39. Around February of 2018, Lisa Bingham began to plan another hot air balloon fundraiser to benefit CASA.

40. Several issues arose with the Tsali Notch Winery venue besides the alcohol problem including excessive demands for rental of the venue and costs associated

with preparation, also including no permission to allow Lisa Bingham to mitigate the expenses by competitive bids.

41. Lisa Bingham was told she was not welcome in the planning meetings involving the winery.

42. The agents of Tsali Notch Vineyard began making demands for additional money such as a percentage of the ticket sales plus \$8,000.00 and exorbitant fees for site preparation. A barn that was once used for the vendors and craftsmen was now going to be used to house more wine tasting and beer sales.

43. Getting the impression that the venue owners and certain members of the board of CASA Monroe were getting greedy and not having the best interests of the children who benefit from CASA first and foremost, and knowing that a more efficient and profitable fundraiser could be conducted elsewhere, Lisa Bingham began making contacts and inquiries for an alternate location for the 2018 hot air balloon fundraiser.

44. On or about March, 2018, certain members of the CASA Monroe Board of Directors, realizing Lisa Bingham was developing plans to hold the next hot air balloon fundraiser at another location, had a Board Meeting and voted to have the next fundraiser at Tsali Notch Vineyard.

45. Lisa Bingham advised the Board Of Directors not to vote on such a motion but the Board conducted the vote in Lisa Bingham's absence, even though she was a board member and even though the Board really did not have authority to tell Lisa

Bingham when or where she and her company could conduct her volunteer fundraisers.

46. Lisa Bingham was under no obligation, legal or otherwise, to follow or adhere to a Board of Directors meeting directive, telling her where to have her fundraiser, which benefited CASA.

47. To avoid accounting issues similar to the 2017 fundraiser, Lisa Bingham applied to the Federal Internal Revenue Service for a 501-c tax exempt status and opened a bank account in the name of Monroe Life Balloon Fiesta to insure an orderly process of financial accountability for the event.

48. Upon information and believe, certain participants in the past CASA hot air balloon event became angry that the proceeds from the next event were not going to be placed in CASA's complete control until a proper accounting was conducted and after all expenses were met.

49. Lisa Bingham was very concerned about the growing alcohol abuse problem at the balloon festival and this concern and better management of the funds greatly enraged certain CASA Monroe board members, especially CASA's director, Duane Baumert.

50. Throughout the spring months of 2018, Lisa Bingham, the Bingham Group and its volunteer staff made many preparations for the next event, including locating a suitable venue.

51. For the 2018 Monroe Life Balloon Fiesta, Lisa Bingham negotiated the event at the Sequoyah Birthplace Museum site in Monroe County, TN, for September 1

and 2, 2018. The property is owned by The Eastern Band of the Cherokee Indians. No alcohol is allowed to be sold on Indian Land.

52. Notices and Pilot Registration Forms were sent to various hot air balloon pilots announcing the Sequoyah Birthplace Museum venue, and 22 pilots responded providing proof of current pilot licenses and proof of liability insurance required for the event.

53. As part of the notice and registration packet, the pilots were told "All pilots are expected to participate in the balloon glow each evening."

54. Based on the pilot response, the Bingham Group prepared and distributed thousands of advertisements of the event, both in Monroe Life Magazines and stand alone posters extolling 22 hot air balloons. Television and radio spots were arranged, 20,000 flyers were sent to local East Tennessee schools and posters and social media were employed to advertise the event. In addition, billboards, and yard signs and rack cards at the welcome centers were distributed and ads in the Bingham Group McMinn Life and Farragut Life Magazines were placed.

55. The Defendants and pilots were well aware of the venue change but never gave any indication that they would not honor the venue change and, in fact, on Monday, August 27, 2018, a few days before the event, Defendants Steve Davis, Alisa Hobbs, Duane Baumert, and the Fire Chief of Monroe County and volunteers from the Bingham group were at the Sequoyah Birthplace Museum venue, discussing placement of the propane truck, the tethers for the balloons and other details to finalize the procedures for the festival that weekend..

56. The Plaintiffs secured lodging for the balloon pilots and the pilots were told they must participate in the event to have their cabins paid for by the event.
57. On the day before the 2018 event, August 31, 2018, after days of intense preparation by Lisa Bingham, the Bingham Group and other volunteers, Tyler Weiss, Duane and Dot Baumert, Amy and Steve Davis, Joe Anderson, Alisa Hobbs, Millsa Hooper and a banker named Logan Young appeared at the museum site obviously hostile, screaming at and making written demands on Lisa Bingham. (Logan Young is excluded from being hostile) These Defendants accused Lisa Bingham of misappropriating or stealing event funds.
58. The hostile group was obviously trying to find reasons why Lisa Bingham and the Bingham Group could not conduct the fundraiser, however, every contrived objection was resolved by the Plaintiffs. Finally, the group insisted Lisa Bingham sign a paper saying the funds were going to CASA, which was the Plaintiff's goal all along.
59. On Saturday, the day of the event, Tyler Weiss again appeared and continued the verbal attack from the previous day, and the confrontation became so intense the Chief of Police had to step in and tell Tyler Weiss to stop his verbal assault on Lisa Bingham and the Bingham Group's employees.
60. During the August 31, 2018 confrontation, a witness, Pastor Lon Shoopman, who was invited to give an opening invocation and pray for the safe flights of the pilots, walked up to the Plaintiffs while the group of hostile Defendants were making threats and demands on Lisa Bingham and after hearing the Defendants,

and reading the documents the Defendants were insisting the Plaintiff sign, stated to Plaintiff Lisa Bingham, "Lisa, they are accusing you of stealing money."

61. At about the same time, the pilots were being corralled and addressed by Defendant Steve Davis who was standing on the back of a pickup truck and telling the pilots to leave the Sequoyah Birthplace Museum venue and go the the Tsali Notch Vineyard location. CASA Monroe redirected the pilot's donated food to Tsali Notch Vineyard. CASA Monroe also took the propane truck from the festival site and took it to Tsali Notch Vineyard, which caused the two pilots that did appear to be unable to do the balloon glow.
62. Once the pilots arrived at Tsali Notch Vineyard, they were fed and given free alcohol and a large party atmosphere ensued all weekend. Pilots cannot fly if they have been drinking.
63. Tsali Notch Vineyard was upset at Lisa Bingham and the Bingham Group because they did not have the fundraising event at Tsali Notch Vineyard, which caused Tsali Notch lose profit and they were unable to sell a large amount of wines as they did in the previous CASA fundraising events.
64. The pilots stayed at lodgings provided by the Sequoyah Birthplace Museum Festival but met daily at Tsali Notch Vineyard and flew many times. Tsali Notch Vineyard conspired with the CASA Monroe Defendants board members to keep the pilots away from the venue site by providing a place for the pilots to drink and party and fly their balloons, thus encouraging them to not provide there balloon rides to the thousands of people at the venue.

65. Tsali Notch Vineyard and the Defendant CASA board members retaliated against Lisa Bingham and The Bingham Group because they were deprived of using the event to sell wine and beer at the Tsali Notch Vineyard.
66. On Saturday, Steve Davis, the balloon meister, told one or more people that he personally spoke to the Chief of Police and was advised that if he, or certain members of the CASA Monroe board returned to the museum venue, they would be arrested.
67. At about 3:50 P.M. September 1, 2018, Steve Davis sent an email to Lisa Bingham and others saying the balloon flights would be cancelled for the day due to weather, however, upon information and belief, many pilots flew both Saturday and Sunday at Tsali Notch Vineyard, less than 15 miles away, and the two pilots that came back Saturday night to Sequoyah Birthplace Museum had no problem tethering for the crowds of families attending to see 22 balloons doing a "glow" that did not occur.
68. Only two pilots ever returned to the Sequoyah Birthplace Museum event.
69. One pilot advised that he did not return because he had drank beer.
70. Defendant, Steve Davis, was told his services as balloon Meister were no longer needed nor desired, and he told the pilots they could go back to the Sequoyah Birthplace Museum if they wanted to. Only two eventually returned Saturday night.
71. On Sunday night, one balloon came to the Sequoyah Birthplace Museum site.

72. Approximately five (5) days after the event each balloon pilot was sent the following email:

As you are aware, the Monroe Life Balloon Festival of Labor Day Weekend did not have 22 balloons as scheduled and no balloon glow was presented. I am trying to determine why you did not come on Saturday or Sunday. This is your opportunity to explain your actions or inactions. Please give an honest and complete answer to why you went to Tsali Notch Vineyard, not Sequoyah Birthplace Museum on the evening of August 31, 2018 and continued to report to Tsali Notch Vineyard on September 1st & 2nd, 2018. One or more pilots expressed an "uncomfortable" feeling about coming to the event where thousands of children and their families were waiting. What was said or done that caused the uncomfortable feeling?

If you decide not to answer this request, or give answers similar to any other answers, you may be included in a lawsuit for damages to the event and the Bingham Group. Your silence will be considered an admission you participated in a group action to intentionally cause harm to the event.

There are hundreds of photos posted on social media showing a big party, including alcohol at Tsali Notch Vineyard taking place throughout the time scheduled for the 2018 Monroe Life Balloon Fiesta benefitting CASA Monroe. Now is your opportunity to tell us **what** was said and **who** said it to convince you not to attend.

Please provide your honest response to this request by end of day, September 6, 2018.

Sincerely,
Lisa Bingham

73. Only two pilots responded, one indicating he drank beer and the other said he did not like the terrain but was annoyed by the "pissing match" as he said:

"I did NOT come to a "pissing match" between the entities that were putting on a festival. I still do not know what it was all about, I don't care what it was all about, I only came to fly."

74. Of course this pilot could have participated in the balloon glow, as he was obligated in his registration agreement, but chose not to participate.

75. The pilot's response says it all. The anger from the Defendants bled into the event and polluted the pilots desire to perform. The other pilots, did not respond, which is also telling. It is possible that once this suit is filed, the Defendants will contact the pilots and solicit excuses that would be used to try to exculpate their actions.

76. At this time, the Plaintiffs have decided to not sue the pilots because it seems, at this juncture, that the pilots were not well informed and only used by the Defendants as a tool to damage the Plaintiffs.

77. The Defendants deliberately derailed and destroyed the planned hot air balloon event at the Sequoyah Birthplace Museum and just as thoroughly destroyed the reputation and standing in the community of Lisa Bingham and the Bingham Group and humiliated Lisa Bingham in the eyes of thousands of event goers.

78. The Plaintiffs have received multiple hate emails from event goers requesting refunds and from pilots who didn't even come to the event but heard slanderous statements from other balloon pilots.

79. Lisa Bingham has been accused of stealing from the event by insinuation through documents presented to her by the Defendants outlined in paragraphs above and in emails.

80. The level of vicious hatred displayed against Lisa Bingham and the Bingham Group by the Defendants during this whole episode was stirred up by Defendant Duane Baumert, who was deeply disturbed the event was not going to be held at the winery, Tsali Notch Vineyard.

81. The Defendants Duane Baumert and agents of Tsali Notch Vineyard became angry because the Plaintiffs successfully planned a fundraiser for Monroe CASA in a different location than Tsali Notch Vineyard and the Defendants conspired together along with other Defendant Board members of CASA Monroe to destroy the Plaintiffs' hot air balloon fundraiser and damage the Plaintiffs' reputation and standing in the community out of spite and revenge.

82. As further evidence of the Defendant's animus, and to make sure that the failure of the event was placed squarely on the Plaintiffs; immediately after the weekend event CASA Monroe placed a full screen post on their website saying in bold letters **"MONROE LIFE MAGAZINE'S BALLOON FIESTA EVENT SPONSORED BY MONROE LIFE MAGAZINE-THE BINGHAM GROUP-all questions and concerns, including refunds, about the event should be forwarded to the organizer, Monroe Life Magazine, Please contact: The Bingham Group, Call 865-523-5999, Email: info@binghamgroup.com."** Signed Alisa M. Hobbs, Executive Director, CASA Monroe.

83. The Defendant Monroe CASA clearly told anyone who read the website that Monroe Life Magazine and the Bingham Group were to blame for the failed event, when in fact, the Defendants were the cause of the failed event.
84. This posting stirred up more hatred against Lisa Bingham and the Bingham Group with the general public and damaged the reputation and standing in the community of the Bingham Group and its premiere monthly magazine, Monroe Life.
85. The offending CASA Monroe defendants had accomplished both damaging the reputation and humiliation of Lisa Bingham and the Bingham Group yet getting the proceeds of the event that remained.
86. While some CASA Monroe board members were relaxing on the lake the day after the event (Labor Day) other Bingham Group volunteers were busy cleaning up the mess left behind from the failed CASA fundraiser.
87. The acts of Tsali Notch Vineyard and the other Defendants deliberately and intentionally were committed to damage the reputation of Lisa Bingham and the Bingham Group and to humiliate her by preventing and obstructing the orderly conducting of a Balloon Festival, as advertised.
88. This conspiracy between Jeremy Dalton as manager of Tsali Notch Vineyard and Tsali Notch Vineyard and the other Defendants to keep the balloons away from the Sequoyah Birthplace Museum venue destroyed the event and caused anger and dismay in the eyes of the event goers and was the catalyst to blame the failure on Lisa Bingham and the Bingham Group.

89. Lisa Bingham was accused of stealing or attempting to steal money from the event and such slander is considered slander per se.
90. Lisa Bingham and the Bingham Group were accused of theft by the CASA Monroe defendants and of being responsible for the failed event and damaging the reputation of Lisa Bingham and the Bingham Group and humiliated Lisa Bingham by doing so.
91. The Defendants actions have damaged the Plaintiff's reputation in the community both in the Plaintiff's business affairs and personal affairs.
92. The Plaintiff, Bingham Group, has already lost an advertiser because of the actions of the CASA Defendants.
93. Such wilful and deliberate actions of all the Defendants to keep the pilots away from the event, motivated by the Plaintiffs keeping the event from becoming a wine and beer party, when the Plaintiffs had every right and, one could argue, obligation to do so, is such gross behavior to warrant punitive damages.
94. Accusations and inferences of theft by the CASA defendants against Lisa Bingham is slander per se.
95. Reporting on the web site that the failed event is the responsibility of The Bingham Group is libelous behavior and damaging to the Plaintiffs.
96. The Defendants committed the torts of Inducement to Breach of Contract (Procurement of Breach of Contracts- T.C.A. 47-50-109) and Interference with Contractual Obligations by willfully and intentionally causing the balloonist to

dishonor their agreement with the Plaintiffs to perform balloon glows and shows at the Sequoyah Birthplace Museum event.

INJUNCTION

98. During the last six (6) years, Lisa Bingham and the Bingham Group have developed professional expertise in the advertisement, promotion and execution of very large, successful fundraising events involving hot air balloons. They have procured many contacts with organizations, balloonist, vendors, donors and support personnel necessary for the fundraising events.

99. This expertise has a proprietary value not possessed by other organizations unless learned from the Plaintiffs.

100. The Defendant Monroe CASA has acquired knowledge from the Plaintiffs that have a proprietary value, and the Plaintiffs object to the Defendant Monroe CASA using this information to host future hot air balloon festivals.

101. Plaintiffs incorporate all averments previously stated above and would ask this Honorable Court:

A. To Enjoin the Defendants from making disparaging remarks or statements about the Plaintiffs or the Plaintiffs business affairs.

B. To enjoin the Defendants from posting disparaging or slanderous remarks on social media or the internet, in any way.

C. To order the removal of web sites or other posts that cast negative or false light upon the Plaintiffs or the Plaintiff's business affairs.

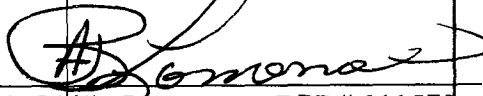
D. To enjoin Monroe CASA, its board members, and those affiliated with Monroe CASA and also enjoin Tsali Notch Vineyard from hosting or sponsoring any hot air balloon fundraiser festivals anywhere in Monroe County for a period of five (5) years.

Wherefore:

- a. For all the wrongful and tortious acts of the Defendants, Lisa Bingham and the Bingham Group make demand against Tsali Notch Vineyard and the rest of the Defendants for punitive damages in the amount of \$900,000.00.
- b. The Plaintiffs make further demand for compensatory damages against all the Defendants in an amount to be determined at trial.
- c. That the Court determine the equities of all the ticket purchasers and how, if possible they be compensated for the failed hot air festival caused by the tortious conduct of the Defendants.
- c. Plaintiff asks for the Court to order the requests for injunctive relief listed in paragraphs A-D above.
- d. The Plaintiffs make such further demands as law and equity require.

RESPECTFULLY submitted this 10 day of September, 2018

Plaintiff demands
a Jury Trial


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COST BOND

We do hereby acknowledge ourselves as sureties for the costs of the Complaint in this cause in accordance with Tennessee Code Annotated § 20-12-120.


Attorney, A. Philip Lomonaco